

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, MAY 1, 1985

A regular meeting of the City Council of the City of Lodi was held beginning at 7:30 p.m. on Wednesday, May 1, 1985 in the City Hall Council Chambers.

ROLL CALL Present: Council Members - Pinkerton, Olson, Reid, Snider, and Hinchman (Mayor)

 Absent: Council Members - None

 Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Pastor Robert Wieshoff, Emanuel Lutheran Church

PLEDGE The Pledge of Allegiance was led by Mayor Hinchman

PRESENTATIONS

REPORTS OF THE CITY MANAGER In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Olson, Reid second, approved the following actions hereinafter set forth.

CONSENT CALENDAR

2112a CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,307,875.84

2114d MISSION STREET WATERMAIN AND STORM DRAIN ACCEPTED COUNCIL ACCEPTED THE IMPROVEMENTS IN "MISSION STREET WATERMAIN AND STORM DRAIN" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDERS OFFICE.

The Contract was awarded to Claude C. Wood Co., of Lodi on November 21, 1984 in the amount of \$47,190.50, and the contract has been completed in substantial conformance with the plans and specifications approved by the City Council. The final contract price was \$46,741.75.

2112a AWARD - HAM LANE STREET IMPROVEMENTS, LODI AVENUE TO ELM STREET COUNCIL APPROVED THE FOLLOWING PLANS AND SPECIFICATIONS AND AUTHORIZED THE ADVERTISING FOR BIDS THEREON:

- 1) Ham Lane Street Improvements, Lodi Avenue to Elm Street
- 2) Church Street Watermain (Phase 1), Vine Street to N/Vine Street

2112a AWARD - CHURCH STREET 900' WATERMAIN (PHASE 1) VINE STREET TO 900' N/VINE STREET

2112a AWARD - SALAS PARK PLAYGROUND IMPROVEMENTS, PHASE IV, SPRINKLING AND TURFING City Manager Peterson presented the following bids which had been received for "Salas Park Playground Improvements, Phase IV, Sprinklers and Turfing".

BIDDER	BID
Fries Corporation	\$39,790.00
Enterprise Landscaping Co.	46,835.00
Bibens Nursery Co.	54,000.00
B & V Landscaping, Inc.	64,270.00
Engineer's Estimate	20,130.00 *

*The Recreation and Parks Department requested the substitution of a higher quality sprinkler unit than was originally specified. This substitution substantially changed the materials costs involved in this project. The original project estimate did not reflect these additional costs.

RES. NO. 85-51 COUNCIL ADOPTED RESOLUTION NO. 85-51 AWARDED THE CONTRACT FOR "SALAS PARK PLAYGROUND IMPROVEMENTS, PHASE IV, SPRINKLERS AND TURFING" TO FRIES CORPORATION OF ESCALON IN THE AMOUNT OF \$39,790.00.

ITEM REMOVED FROM AGENDA With the tacit concurrence of the Council, Agenda item e-1-G "Award - Salas Park Playground Improvements, Phase V" was removed from the Agenda.

216 COUNCIL APPROVES DESTRUCTION OF CERTAIN CITY CLERK AND PUBLIC WORKS FILES Pursuant to State Statute and with the approval of the City Attorney -

RES. NO. 85-52 COUNCIL ADOPTED RESOLUTION NO. 85-52 APPROVING THE DESTRUCTION OF CERTAIN PUBLIC WORKS FILES.

RES. NO. 85-53 COUNCIL ADOPTED RESOLUTION NO. 85-53 APPROVING THE DESTRUCTION OF CERTAIN CITY CLERK FILES.

217 COUNCIL AUTHORIZES DISPOSAL OF WEAPONS Council was apprised that Chief of Police Williams has recommended the sale of several weapons presently in use by department officers which may be unsafe in certain circumstances and of a number of weapons confiscated by department personnel over a period of time.

218 COUNCIL AUTHORIZED THE SALE, BY THE POLICE DEPARTMENT, OF CERTAIN SURPLUS WEAPONS AND FURTHER, AUTHORIZED THE PROCEEDS OF SAID SALE TO BE USED FOR REPLACEMENT AND ADDITIONAL WEAPONS AS NEEDED.

PUBLIC HEARINGS Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider proposed uses of 1985-86 Community Development Block Grant Funds in the amount of \$432,000.

219 1985-86 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS City Manager Peterson introduced the matter advising Council that Staff had received direction from the City Council to present a recommendation concerning the expenditure of the City's 1985 allocation of Community Development Block Grant Funds. The recommendation is as follows:

Blakely Pool	\$180,000
Shade Structure	25,000
Garfield Street	
Storm Drain	25,000
Handicap Access	
to City Hall	
and Carnegie	
Library Bldg.	167,000
Administrative Costs	35,000
	<hr/>
	\$432,000

Associate Planner Gaye Papais further viewed the projects, and responded to questions as were posed by the Council.

Continued May 1, 1985

Mrs. Carol Marvel, 1232 Lakewood Drive, Lodi, addressed the Council proposing that a portion of the Community Development Block Grant Funds be expended on public transportation and more specifically on a fixed route system.

There being no other person in the audience wishing to speak on the matter, the public portion of the hearing was closed.

A lengthy discussion followed with questions being directed to Staff and to Mrs. Marvel.

On motion of Council Member Pinkerton, Snider second, Council approved the expenditure of the City's 1985 allocation of Community Development Block Grant Funds on the following projects:

Blakely Pool	\$180,000
Shade Structure -	
Salas Park	25,000
Garfield Street	
Storm Drain	25,000
Handicap Access to	
City Hall and	
Carnegie Library	167,000
Administrative Costs	35,000
	<hr/>
	\$432,000

W538
COUNCIL DENIES
REQUEST TO
AMEND R-C-P
DISTRICT

Notice thereof having been published according to law and affidavit, of which publication is on file in the office of the City Clerk, Mayor David Hinchman called for the Public Hearing to consider the Planning Commission's recommendation that the request of Mark Ehlers to amend the R-C-P, Residential-Commercial-Professional District to permit the rental and sale of special respiratory and convalescent equipment after acquiring a Use Permit from the Planning Commission be approved.

Council Member Snider asked to abstain from discussion and voting on the matter because of a possible conflict of interest. Council Member Snider then stepped down from his seat at the Council table.

The matter was introduced by Community Development Director Schroeder who responded to questions as were posed by Council regarding the matter.

There were no persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

Council discussion followed with questions regarding the matter being directed to Staff. Following discussion, on motion of Council Member Pinkerton, Reid second, Council denied the recommendation of the Planning Commission for a zoning ordinance amendment to provide for an additional use in the R-C-P, Residential-Commercial-Professional District. The motion carried by the following vote:

Ayes:	Council Members - Olson, Pinkerton and Reid
Noes:	Council Members - Hinchman (Mayor)
Abstain:	Council Member - Snider

PLANNING
COMMISSION

City Manager Peterson gave the following report of the Planning Commission meeting of April 22, 1985:

The Planning Commission -

ITEMS OF
INTEREST

1. Recommended that Section 27-18, Site Plan and Architectural approval of the Lodi Municipal Code, be amended to expand projects subject to review by the Site Plan and Architectural Review Committee.
2. Recommended changing the name of Myrtle Avenue, and its future extension, to Guild Avenue.

ITEMS SET FOR
HEARING

On motion of Council Member Reid, Olson second, Items 1 and 2 heretofore set forth were set for Public Hearing at the Regular Council meeting of May 15, 1985 commencing at 7:30 p.m.

ITEMS OF INTEREST

The Planning Commission also -

1. Determined that a Zoning Hardship did not exist and denied the request of Effie and Bruce Turner for a Variance to eliminate the required off-street parking to permit an existing garage conversion to remain at 808 West Turner Road in an area zoned R-1, Single-Family Residential.

In a related action the Planning Commission granted an exception to the off-street parking design standards to permit a driveway of less than 12 feet in width to provide access to a rear yard carport.

2. Conditionally approved the request of Louis D. Matthews for a Use Permit to establish an automobile wrecking and salvage yard, completely enclosed within a building, at 805 North Stockton Street in an area zoned M-2, Heavy Industrial.

The Planning Commission certified the filing of a Negative Declaration as adequate environmental documentation on the above project.

COMMUNICATIONS
CITY CLERK

ABC LICENSES

Applications for the following Alcoholic Beverage License were received:

- 1) Pietro's Pizza Parlors, Inc.
317 East Kettleman Lane
Lodi, California
On sale beer and wine eating place
- 2) Rinehart Oil, Inc.
900 South Cherokee Lane
Lodi, California
Off sale beer and wine
- 3) Pizza Mill
550 South Cherokee Lane, #E
Lodi, California
On sale beer and wine eating place

NO ACTION TAKEN
ON REQUEST FOR
"NON-SMOKING"
ORDINANCE

City Clerk Reimche presented a letter which had been received from Jennie Baranick of 315 Vineyard Drive, Lodi, requesting that a "non-smoking" ordinance prohibiting smoking in restaurants, grocery stores, offices, and clothing stores, etc., be adopted by the Lodi City Council.

Discussion followed with questions being directed to Staff and to the City Attorney.

Council took no formal action on the matter.

1151a
LETTERS REC'D RE
PUC APPLICATIONS

The City Clerk presented a letter from PG&E Company giving notice that on April 15, 1985 it filed a motion to reopen Application No. 82-12-48 for the limited purpose of adopting a rate mechanism for 1986 to offset earnings attrition. The attrition mechanism proposed in the motion also constitutes PG&E'S generic proposal for a rate mechanism which will apply in the two intervening years within the three year test year cycle for general rate cases.

1142
CLAIMS

City Clerk Reimche presented a letter which had been received from PG&E Company regarding the filing of Application No. 85-04-019 in which it requests authority from the California Public Utilities Commission, effective August 1, 1985, to increase electric rates by approximately \$63.6 million on an annualized basis.

On recommendation of the City Attorney and L. J. Russo Insurance Services, Inc., the City's Contract Administrator, Council, on motion of Mayor Pro Tempore Reid, Olson second, denied the following claims and referred them back to L. J. Russo Insurance Services, Inc.:

Ted Hopson DOL 11/16/84

1192
APPOINTMENTS TO
LODI ARTS
COMMISSION

Mayor Hinchman, with the concurrence of the Lodi City Council, on motion of Council Member Olson, Reid second, appointed the following persons to the Lodi Arts Commission for a three year term commencing May 6, 1985:

William Daniger
Karen Ramonda
Susan Atkinson
Mary Jane Ballatore (Reappointment)

1136
STATE RELEASES
NEW POPULATION
FIGURES

City Manager Peterson reported that new population figures for the City of Lodi had just been released by the State of California indicating that the present population is 41,281.

COMMENTS BY
CITY COUNCIL
MEMBERS

1147a
UPDATE ON LATEST
ACCIDENT OCCURRING
AT CALIFORNIA/
TURNER ROAD
INTERSECTION

Council Member Pinkerton reported that another injury accident had occurred within the last few days at the intersection of California Street and Turner Road.

1147
1142
APPRECIATION
EXTENDED TO
STAFF FOR
PARTICIPATION IN
RECENT SISTER
CITY CONFERENCE

Mayor Hinchman announced that he was in receipt of a letter from Gwin Mitchell, Chairman of the Lodi Sister City Committee expressing appreciation to staff members who had participated in the recent Sister City Conference held in Lodi.

CRAIG HINCHMAN NEW
PRESIDENT OF LODI
HIGH

Mayor Hinchman announced that his son, Craig Hinchman, had just been elected President of Lodi High School. Congratulations were extended to Craig.

COUNCIL MEMBER
SNIDER APPLAUDED
FOR RECENT TENNIS
CHAMPIONSHIP

Council Member Snider was congratulated on his recent Tennis tournament championship.

Continued May 1, 1985

CITY CLERK REIMCHE
RECOGNIZED ON
RECENTLY BEING
ELECTED CCAC
PRESIDENT

Congratulations were extended to City Clerk Reimche on being elected President of the City Clerks' Association of California.

CITY ATTORNEY
GIVES UPDATE ON
MEASURE A LAW
SUIT

City Attorney Stein presented an update on the Measure A lawsuit.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

Mr. Bill Shively, retired police officer with the City of Lodi, addressed the Council regarding a personnel matter. Mayor Hinchman asked that the matter be discussed in a closed session of the Council at the end of the Regular Calendar.

PRESENTATION RE
GARBAGE SERVICE
AND GARBAGE RATE
SCHEDULES

Agenda item k-1 - "Presentation by Jim Baum regarding garbage service/rates" was introduced by City Manager Peterson.

Mr. Jim Baum of 1420 Edgewood Drive, Lodi, then addressed the Council concerning the City's garbage service and garbage rate schedules. Mr. Baum cited his feelings regarding the benefits of a multiple can rate for mobile home parks.

An indepth discussion followed regarding master meter billing and the suggestions presented by Mr. Baum.

Following additional discussion, with questions being directed to Staff and to Mr. Baum, Mayor Hinchman directed that the matter be scheduled as an item for discussion at the Informal Informational Meeting (Shirtsleeve Session) of Tuesday, May 21, 1985.

LOCKEFORD STREET
IMPROVEMENTS -
CHURCH STREET TO
SACRAMENTO STREET

Agenda item K-2 - "Approve Plans and Specifications for Lockeford Street Improvements, Church Street to Sacramento Street" was introduced by City Manager Peterson.

Public Works Director Ronsko reminded the Council that at the April 17, 1985 meeting, Council had approved the environmental documentation for the widening of Lockeford Street between Church and Sacramento Street and that it now will be necessary for the City Council to make a determination on whether to widen Lockeford Street to the ultimate 64 foot street within the existing right-of-way, or to reconstruct it between the existing curbs and replace the damaged curb and gutter.

A striping diagram depicting Lockeford Street if it were widened was presented for Council's perusal.

A lengthy discussion followed with questions being directed to Staff.

Following additional discussion, Council on motion of Mayor Pro Tempore Reid, Olson second, reaffirmed its approval of the subject environmental documentation and approved the plan for Lockeford Street improvements, Church Street to Sacramento Street, which would include widening the south side to its ultimate width, leaving the north side as it is, and authorizing the replacement of damaged curb and gutter.

ADJOURNMENT

The Council then met in a Closed Session regarding Personnel matters. The Council meeting was adjourned at approximately 10:00 p.m.

Attest:

Alice M. Reimche
Alice M. Reimche
City Clerk